

United States District Court
for
Middle District of Tennessee

Petition to Modify the Condition or Term of Supervision
(Probation Form 49 Waiver of Hearing on the Modification is attached)

Name of Offender: Marcia Press Case Number: 2:11-00002-22
Name of Sentencing Judicial Officer: Honorable Aleta A. Trauger, U.S. District Judge
Date of Original Sentence: May 18, 2012
Original Offense: 21 U.S.C. § 846, Conspiracy to Distribute and Possess with In tent to Distribute
Oxycodone, Hydrocodone, and Alpraxolam
Original Sentence: Time served followed by 3 years' supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: May 18, 2012
Assistant U.S. Attorney: Alex Little Defense Attorney: Thomas J. Drake, Jr.

PETITIONING THE COURT

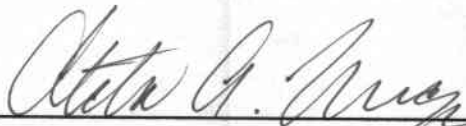
- To modify the release conditions as follows:

The defendant shall reside in a transitional housing program, such as the Next Door or Re-Entry, and participate in any treatment services within the housing program as directed by the U.S. Probation Office.

THE COURT ORDERS:

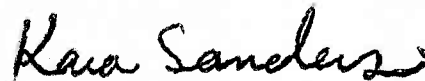
- ☐ No Action
☐ The extension of supervision as noted above.
☒ The modification(s) as noted above.
☐ Other

Considered this 15th day of Nov., 2012,
and made a part of the records in the above case.



Aleta A. Trauger
U.S. District Judge

I declare under penalty of perjury that
the foregoing is true and correct.
Respectfully submitted,



Kara Sanders
U. S. Probation Officer

Place Nashville, Tennessee

Date November 14, 2012

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall reside at the Residential Re-Entry Center for up to 12 months or as directed by the U.S. Probation Office.**

On October 3, 2012, Ms. Press entered Dierson Charities as ordered by the Court. She was in compliance with the rules of the facility until it came to the attention of staff that she was involved in an intimate relationship with another resident, Anton Thompson. Ms. Press was previously instructed not to get romantically involved with another resident. Ms. Press denied the relationship but her behavior supported that it was ongoing. On November 9, 2012, at approximately 10 p.m. Ms. Press refused to follow directives of the Dierson staff and her behavior escalated beyond control. The police were called to Dierson Charities to resolve the matter. No arrests were made. The following day Ms. Press continued to exhibit disruptive and threatening behavior toward residents and staff. Mr. Thompson is also facing disciplinary review from the Bureau of Prisons for his rule violations.

On November 13, 2012, Probation Officer Sanders and Dierson Director Phoenix Dorris met with Ms. Press to discuss her behavior. She admitted that her actions were not appropriate. She also understood that based on her poor behavior she would be discharged from the facility. Director Dorris agreed to allow her to stay until an alternate residential program could be secured.

Ms. Press was instructed to have no further contact with Anton Thompson, and to follow all rules until her discharge.

Ms. Press is pending acceptance into a residential program, such as the Next Door or Re-Entry, which will provide her with stable housing and access to treatment services. She will continue with her employment at Safety Solutions and treatment services with Centerstone Mental Health. The Next Door is a program exclusively for women and Re-Entry is a program for men and women, but the men and women live in different houses. Ms. Press understands that her continued failure to comply with her conditions of release may result in a revocation hearing before the Court.

Compliance with Supervision Conditions and Prior Interventions:

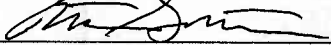
Marcia Press was placed on supervision May 18, 2012. All conditions of release were explained and she was provided a copy of the Judgment and Commitment Order. She initially reported that she was taking Prozac and her mental health was stable. In May 2012, she participated in a mental health assessment for the Department of Children's Services, with Cumberland Plateau Recovery. This assessment stated that, based on the information provided during the assessment, she did not meet the criteria for treatment and was referred to Narcotics Anonymous meetings. In July 2012, Probation Officer Sanders referred her for an additional mental health assessment with Cumberland Mountain Mental Health. On August 9, 2012, the assessment was conducted and the recommendation was for her to attend mental health counseling two times per month and continue with her Prozac prescription.

In August 2012, Ms. Press was arrested in Cumberland County for Theft. She also reported drinking alcohol and that she was homeless. Based on the violations and her homelessness, a report was submitted to the Court and she was ordered to enter Dierson Charities. Upon her arrival at Dierson Charities, Ms. Press's treatment was transferred to Centerstone Mental Health in Nashville. She began treatment on October 31, 2012. She is currently in compliance and taking her psychotropic medication as directed. She is also employed as a telemarketer, on a full-time basis, with Safety Solutions.

The waiver of hearing form to modify the conditions of supervised release was thoroughly explained to Ms. Press and she stated she understood her rights to representation by counsel and to a hearing. Ms. Press voluntarily signed the waiver to modify the conditions of her supervised release.

U.S. Probation Officer Recommendation:

It is recommended that Ms. Press' special conditions be modified as indicated in this petition. The U. S. Attorney's Office has been advised of the offender's noncompliance and the probation officer's recommendation for modification of the release conditions.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall reside in a transitional housing program, such as the Next Door or Re-Entry, and participate in any treatment services within the housing program as directed by the U.S. Probation Office

Witness: _____



Signed: _____



Marcia B. Press
Probationer or Supervised Releasee

November 14, 2012

Date